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PTO/SB/05 (03-01)

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	10596-016-999	Total Pages	32
First Named Inventor or Application Identifier			
Arnold S. Lippa			
Express Mail Label No.	EV335858384US		

APPLICATION ELEMENTS

See MPEP chapters 600 concerning utility patent application contents.

Address to:

Commissioner for Patents
P.O. Box 1450
Mail Stop PATENT APPLICATION
Alexandria, VA 22313-1450

- | | |
|---|--|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 32]
(preferred arrangement set forth below, MPEP 1503.01)</p> <ul style="list-style-type: none">- Descriptive title of the Invention- Cross Reference to Related Applications- Statement Regarding Fed sponsored R&D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description of the Invention (including drawings, if filed)- Claim(s)- Abstract of the Disclosure <p>4. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Sheets 2]</p> <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)i. <input type="checkbox"/> DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <ul style="list-style-type: none">a. <input type="checkbox"/> Computer Readable Form (CRF)b. <input type="checkbox"/> Specification Sequence Listing on:<ul style="list-style-type: none">i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); orii. <input type="checkbox"/> paperc. <input type="checkbox"/> Statement verifying identity of above copies |
|---|--|

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/425,545 filed April 29, 2003, which is a divisional of U.S. application no. 09/939,071, filed August 24, 2001, now U.S. Patent No. 6,569,887, dated May 27, 2003.

Prior application information: Examiner: Taofiq A. Solola

Group Art Unit: 1626

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number

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NYJD: 1503674.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner Taofiq A. Solola
 Art Unit 1626

Commissioner for Patents
 P.O. Box 1450
 Mail Stop PATENT APPLICATION
 Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 10/425,545 filed on April 29, 2003, which is a divisional of U.S. Application No. 09/939,071, filed on August 24, 2001, now U.S. Patent No. 6,569,887 dated May 27, 2003.

of Arnold S. Lipa and Joseph W. Epstein

(inventor(s) currently of record in prior application)

for (-)-1-(3,4-DICHLOROPHENYL)-3-AZABICYCLO[3.1.0]HEXANE, COMPOSITIONS THEREOF, AND USES AS A DOPAMINE-REUPTAKE INHIBITOR

(title of invention)

1. ☒ The filing fee is calculated below, in view of the Preliminary Amendment submitted herewith:

PATENT APPLICATION FEE VALUE

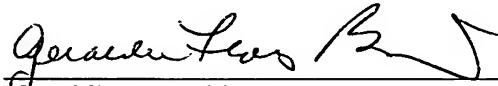
TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	4	- 20	0	\$18.00 each	\$ 0.00
Independent	2	- 3	0	\$86.00 each	\$ 0.00
Minimum Fee					\$ 770.00
Multiple Dependency Fee If Applicable (\$290.00)					\$ 0.00
Total					\$ 770.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 385.00
Total Filing Fee					\$ 385.00

2. ☒ Please charge the required fee to Deposit Account No. 16-1150. A copy of this sheet is enclosed.
- 3a. ☒ A Preliminary Amendment is enclosed.
- 3b. ☐ A new specification, substantially identical to the pending prior application and containing no new matter, is enclosed.
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☐ Informal drawings are enclosed.

- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ Prior application no. 09/939,071 (of which prior application no. 10/425,545 is a divisional) is assigned of record to DOV Pharmaceutical, Inc. (Reel 012130 Frame 0575)
- 7a. ☐ A copy of the Revocation and Power of Attorney filed in the prior application no.
- 7b. ☒ A copy of the Declaration filed in prior application no. 09/939,071 (of which prior application no. 10/425,545 is a divisional) filed August 24, 2001, is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☐ Additional enclosures or instruction

Respectfully submitted,

Date January 23, 2004


 Geraldine F. Baldwin 31,232
 JONES DAY (Reg. No.)
 221 41st Street
 New York, New York 10017-6702
 (212)790-9090